

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name: that I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought in the application entitled: **APPARATUS AND METHOD FOR LOAD BALANCING IN SYSTEMS HAVING REDUNDANCY**

which application is:

☒ the attached application  
(for original application)

Application No. \_\_\_\_\_  
filed \_\_\_\_\_, and amended on \_\_\_\_\_

(for declaration not accompanying application)

that I have reviewed and understand the contents of the specification of the above-identified application, including the claims, as amended by any amendment referred to above; that I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application under 37 C.F.R. 1.56, that I hereby claim priority benefits under Title 35, United States Code §119, §172 or §365 of any provisional application or foreign application(s) for patent or inventor's certificate listed below and have also identified on said list any foreign application for patent or inventor's certificate on this invention having a filing date before that of any foreign application on which priority is claimed:

Application Number	Country	Filing Date	Priority Claimed	
			Yes	No <input checked="" type="checkbox"/>

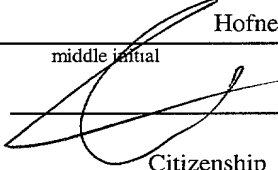
I hereby claim the benefit of Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application under 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date	Status

I hereby appoint John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl M. Olexy, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; Brett S. Sylvester, Reg. No. 32,765; Robert M. Masters, Reg. No. 35,603; George F. Lehnigk, Reg. No. 36,359; John T. Callahan, Reg. No. 32,607 and Steven M. Gruskin, Reg. No. 36,818, my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to **SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC**, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3213.

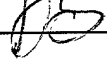
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date 18-Nov-01 First Inventor Robert Hofner  
first name middle initial last name

Residence Ashdod Israel Signature   
city state/country

Post Office Address 108 Kinnereth St., Ashdod 77700, Israel Citizenship Israel

Date 18-Nov-01 Second Inventor Amnon A Strasser  
first name middle initial last name

Residence Tel Aviv Israel Signature   
city state/country

Post Office Address 18 Raeding Street, Tel Aviv 69024, Israel Citizenship Israel

Date \_\_\_\_\_ Third Inventor \_\_\_\_\_  
first name middle initial last name

Residence \_\_\_\_\_ Signature \_\_\_\_\_  
city state/country

Post Office Address \_\_\_\_\_ Citizenship \_\_\_\_\_

Date \_\_\_\_\_ Fourth Inventor \_\_\_\_\_  
first name middle initial last name

Residence \_\_\_\_\_ Signature \_\_\_\_\_  
city state/country

Post Office Address \_\_\_\_\_ Citizenship \_\_\_\_\_

Date \_\_\_\_\_ Fifth Inventor \_\_\_\_\_  
first name middle initial last name

Residence \_\_\_\_\_ Signature \_\_\_\_\_  
city state/country

Post Office Address \_\_\_\_\_ Citizenship \_\_\_\_\_

Date \_\_\_\_\_ Sixth Inventor \_\_\_\_\_  
first name middle initial last name

Residence \_\_\_\_\_ Signature \_\_\_\_\_  
city state/country

Post Office Address \_\_\_\_\_ Citizenship \_\_\_\_\_

Applicant or Patentee: \_\_\_\_\_ Attorney's  
Application or Patent No. Not Yet Assigned Docket No.: Q66255  
Filed or Issued: November 21, 2001  
For: \_\_\_\_\_

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27 (c)) -- SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Exanet, Inc.  
ADDRESS OF CONCERN 2900 Lakeside Drive, Suite 204, Santa Clara, CA 95054

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled APPARATUS AND METHOD FOR LOAD BALANCING IN SYSTEMS HAVING REDUNDANCY by inventor Robert Hofner and Amnon A. Strasser described in

☒ the specification filed herewith

☐ Application No. \_\_\_\_\_

☐ Patent No. \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statement are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME Exanet, Inc.  
ADDRESS 2900 Lakeside Drive, Suite 204, Santa Clara, CA 95054

☐ INDIVIDUAL

☒ SMALL BUSINESS  
CONCERN

☐ NONPROFIT  
ORGANIZATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

## SIGNING

ADDRESS OF PERSON

## SIGNING

Signature

Dr. Giora Yaron

### Chief Executive Officer

2900 Lakeside Drive, Suite 204, Santa Clara, CA 95054

Date 18 November 2001

[illegible]